

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RODNEY TRIMBLE,

Defendant.

CR 22–74–BLG–DLC

ORDER

United States Magistrate Judge Timothy J. Cavan entered Findings and Recommendation in this matter on August 9, 2022. (Doc. 17.) Neither party objected and therefore they are not entitled to *de novo* review. 28 U.S.C.

§ 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

This Court will review the Findings and Recommendation for clear error.

McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313

(9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm

conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Cavan recommends that this Court accept Defendant Trimble’s guilty plea after Trimble appeared before him pursuant to Rule 11 of the Federal Rules of Criminal Procedure and entered a guilty plea to one count of possession with intent

to distribute controlled substances, in violation of 21 U.S.C. § 841 (Count I), and one count of felon in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1) (Count II), as set forth in the Information. (Doc. 7.) Reviewing for clear error, the Court finds none.

Accordingly, IT IS ORDERED that Judge Cavan's Findings and Recommendation (Doc. 17) is ADOPTED in full.

IT IS FURTHER ORDERED that Trimble's motion to change plea (Doc. 9) is GRANTED and Trimble is adjudged guilty as charged in Counts I and II of the Information.

DATED this 29th day of August, 2022.



Dana L. Christensen, District Judge
United States District Court